

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7178

BILL NUMBER: HB 1974

DATE PREPARED: Dec 28, 2000

BILL AMENDED:

SUBJECT: State Liability for Vehicle-deer Collisions.

FISCAL ANALYST: John Parkey

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FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: State

Summary of Legislation: This bill provides that the state is strictly liable for actual damages to a vehicle and actual medical expenses caused by the collision of a deer and a vehicle on a highway.

Effective Date: July 1, 2001.

Explanation of State Expenditures: This bill could increase claims against the state. According to the Indiana State Police and the Department of Natural Resources, there is an average of 10,742 deer-vehicle collisions in Indiana each year. The Michigan Deer Crash Coalition reports that the average deer-vehicle collision causes approximately \$2,000 in vehicular damage. Based on these estimates, the state would be liable for approximately \$21.5 M in damages caused by vehicle-deer collisions.

The bill would also make the state liable for medical expenses caused by the highway collision of a deer and a vehicle. Data from Michigan suggest that approximately 3.25% of deer-vehicle collisions result in an injury or death. Based on this estimate, there are 350 vehicle-deer collisions in Indiana in which the State would be liable for actual medical expenses. The liability to the state resulting from these medical expenses is indeterminable.

By statute, damage awards cannot exceed \$300,000 for the injury to, or death of, one person in any one occurrence and \$5 million for the injury to, or death of, all persons in that occurrence.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Attorney General.

Local Agencies Affected: Courts.

Information Sources: Indiana Department of Natural Resources; Jerry Basch, Michigan Deer Crash Coalition, 313-336-1412.